IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.42595 of 2008
AJAY KUMAR SINGH S/O RAJENDRA SINGH, R/O VILLAGE-WALIPUR, P.S. PIPARIYA, DISTRICT-LAKHISARAI
Versus
STATE OF BIHAR
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2 26/11/2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case which has been registered under section 7 of the Essential Commodities Act.

The petitioner is a fair price shop dealer. Allegation is that he has lifted 56.64 quintals of wheat and 37.76 quintals of rice through Annapurna Youjan. The grains was meant for distribution among the poor people but the same was black marketed by the petitioner.

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Submission is that on the date of occurrence the person making seizure list was not authorized to make seizure. The notification for the first time has been issued on 25th May, 2007 and the date of occurrence is of 14.12.2006 so the seizure itself is illegal. The petitioner is in custody since 9.8.2008.

Considering the facts and circumstances of the case, the petitioner Ajay Kumar Singh is directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 479 of 2006.

Avin **(Shyam Kishore Sharma, J.)**